

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

JOSE GONZALEZ *individually and
as parent of Jane Doe,*

Plaintiff,

v.

2:23-cv-00069-JLB-NPM

COLLIER COUNTY SCHOOL BOARD,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff Jose Gonzalez was ordered to show cause by July 24, 2023, why the court should not dismiss this action for two reasons. (Doc. 27). First, Gonzalez failed to appear for a hearing as directed and is not diligently prosecuting this action. Second, Gonzalez cannot litigate his child's Title IX claim. Gonzalez never responded. Accordingly, this action should be dismissed without prejudice and the clerk should be directed to terminate all pending motions, cancel all scheduled events, and close the case.

Respectfully recommended on July 25, 2023.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections "waives the right to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions." *See* 11th Cir. R. 3-1. **To expedite resolution, parties may file a joint notice waiving the 14-day objection period.**